

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

| | | |
|---------------------------|---|------------------------------------|
| JEROME JUNIOR WASHINGTON, |) | |
| |) | |
| Plaintiff, |) | Civil Action No. 17 – 988 |
| |) | |
| v. |) | District Judge Joy Flowers Conti |
| |) | Magistrate Judge Lisa Pupo Lenihan |
| SUPERINTENDENT ROBERT |) | |
| GILMORE, <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |

ORDER

AND NOW, this 5th day of September, 2019, for the reasons set forth in the accompanying memorandum order;

IT IS HEREBY ORDERED that the Report and Recommendation (ECF No. 71) is adopted as the opinion of the Court.

IT IS FURTHER ORDERED that the DOC Defendants’ Motion to Dismiss Plaintiff’s Amended Complaint for Improper Joinder (ECF No. 53) is granted in part and denied in part. It is granted as to claims two, three, four, six, ten and eleven and the court hereby strikes those claims from the Amended Complaint as violative of Federal Rule of Civil Procedure 20. The motion is denied with respect to the allegations contained in claims one, five, seven, eight and nine and those claims will proceed for further review.

AND IT IS FURTHER ORDERED that this case is remanded back to the magistrate judge for all further pretrial proceedings.

By the court:

/s/ Joy Flowers Conti

Joy Flowers Conti

Senior United States District Judge

Cc: Jerome Junior Washington
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SCI Greene
175 Progress Drive
Waynesburg, PA 15370

Counsel for Defendants
(Via CM/ECF electronic mail)